IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 5787 of 2005

MOHAMMED ASLAM QURESHI
V/S
STATE & ORS.

Mr. PK LOHRA, for the appellant / petitioner

Mr. SN TIWARI, DY.G.A., for the respondent

Date of Order : 21.4.2006

HON'BLE SHRI N P GUPTA,J.

ORDER

A preliminary objection is raised by the learned counsel for the respondents that the impugned order was appealable before the Rajasthan Civil Services Appellate Tribunal being service matter.

Faced with this situation, learned counsel for the petitioner seeks to withdraw the writ petition to approach the Tribunal. However, he submits that since interim stay was granted by this Court on 27.9.2005 which is already operating, that stay order may be ordered to remain effective for another period of four weeks.

Accordingly, the writ petition is dismissed as withdrawn with liberty to the petitioner to approach the Rajasthan Civil Service Appellate Tribunal under the

provisions of Rajasthan Civil Services (Service Matters Appellate Tribunals) Act, 1976. However, the interim order dt. 27.9.2005 shall remain in force for a period of four weeks from today, or till the application for interim relief is considered by the Tribunal whichever is earlier.

(N P GUPTA),J.

/Sushil/